IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

CHAMBER SUMMONS NO.1813 OF 2003
IN
EXECUTION APPLICATION NO.445 OF 2003
IN
SONEPAT SUIT NO. 263/1 OF 2001

M/s.Bhabani Pigments Pvt.Ltd. ..Plaintiff

Vs.

M/s.Vardhaman Dyestuff Ind.
Pvt.Ltd. and Ors. ..Defendants

...

N.Dutia i/b Nameet and Co. for Plaintiff
K.Setalvad i/b M/s. Mulla & Mulla & Craigie Blunt and Caroe for defendants

....

CORAM : S.U.KAMDAR,J.
DATE : JANUARY 11,2005

P.C.:

1. Both the parties to the Chamber Summons agreed to the following order:

2. It is an admitted position that the defendants-judgment debtors have already made payment of original decretal amount of Rs.14,81,218/-. The defendants-judgment debtors also accepted the decree with modified interest which will be payable at the rate of 8% per annum from the date of the suit in place of 3% per month i.e. 36% per annum as granted by an order dated 14th December, 2001 modifying the original decree passed by the learned Additional Civil Judge (S.D.) Sonepat. The plaintiff-decree holder accepts the said amount along with interest at

the rate of 8% per annum in place of modified decretal amount modified by order dated 14th December, 2001.

3. The defendants-judgment debtors shall make payment of the aforesaid amount with costs as granted under a decree within a period of two weeks from today. The defendants-judgment debtors shall withdraw the pending civil revision petition i.e. C.R.P.No. 346 of 2004 pending in the High Court of Punjab and Haryana at Chandigarh in view of full and final settlement of all the claims by and between the parties.

4. On receipt of the balance amount as provided hereinabove, the plaintiff-decree holder will accept the same in full and final satisfaction of the entire decree including the modified decree dated 14th December, 2001. Chamber Summons No. 1813 of 2003 as well as Execution Application Nos. 445 of 2003, and 307 of 2002 shall stand disposed of in the terms aforestated.

[S.U.KAMDAR,J.]